

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**LAND AND BUILDINGS LOCATED AT 123 NORTH  
MAIN STREET, ROCHESTER, NEW HAMPSHIRE,  
WITH ALL IMPROVEMENTS AND  
APPURTENANCES THEREON, OWNED BY PETER  
COSGROVE, ET AL;**

**Defendants in Rem.**

**Civ. No. 03-79-JD**

**ORDER FOR INTERLOCUTORY SALE OF LAND AND BUILDINGS  
LOCATED AT 123 NORTH MAIN STREET, ROCHESTER, NEW HAMPSHIRE**

Having reviewed the Motion for Interlocutory Sale of Land and Buildings Located at 123 North Main Street, Rochester, New Hampshire,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The defendant property, Land and Buildings Located at 123 North Main Street, Rochester, New Hampshire, with all Appurtenances and Improvements Thereon, Owned by Peter Cosgrove, shall be sold at an interlocutory sale pursuant to the terms set forth in the Motion for Interlocutory Sale;

2. Peter Cosgrove, and Countrywide Home Loans, Inc. will execute promptly any documents which may be required to complete the interlocutory sale of the defendant property;

3. The net proceeds from the sale of the defendant property will include all money realized from the sale of the defendant property, except for the following expenses, which shall be paid at the time of closing from the proceeds of the sale:

- a. Real estate commissions, if any;
- b. The amounts due the lienholder Countrywide Home Loans, Inc., pursuant to a mortgage evidenced by documents recorded at the Hillsborough County, New Hampshire Registry of Deeds;
- c. Real estate property taxes which are due and owing;
- d. Insurance costs, if any;
- e. Escrow fees;
- f. Document recording fees not paid by the buyer;
- g. Title fees;
- h. Transfer taxes;

4. \$75,000 of the net proceeds realized from the sale of the defendant property shall be substituted as a “substitute res” for the defendant property named in this lawsuit, and at the time of the closing, shall be remitted to the custody and control of the United States Department of Treasury as a substitute res in this case, and held pending further order of the Court.

5. Peter Cosgrove will retain custody, control, and responsibility for the defendant property, will retain existing hazard and homeowners’ insurance on the defendant property, will maintain the structure and grounds in a manner consistent with offering the property for sale, and will keep current on all expenses required by federal, state and local law (including real property taxes) for a period of up to 120 days from this order, or until the interlocutory sale has been completed, whichever occurs earlier.

Dated: August 24, 2006

/s/Joseph A. DiClerico, Jr.  
United States District Judge